

1 Sean P. Flynn (SBN 220184)  
sflynn@foleymansfield.com  
2 Carley G. Mak (SBN 251568)  
cmak@foleymansfield.com  
3 **FOLEY & MANSFIELD, PLLP**  
300 South Grand Avenue, Suite 2800  
4 Los Angeles, CA 90071  
Telephone: (213) 283-2100  
5 Facsimile: (213) 283-2101

6 Attorneys for Defendant  
**UNITED COLLECTION BUREAU, INC.**

FILED  
12 NOV 29 AM 10:04  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 JAMIE INGPEN,

12 Plaintiff,

13 vs.

14 UNITED COLLECTION BUREAU,  
15 INC., A Corporation; and DOES 1 through  
10, inclusive,

16 Defendants.

Case No. **CV12-10175 SJO(PLA<sub>x</sub>)**

**NOTICE OF FILING OF REMOVAL  
OF CIVIL ACTION TO UNITED  
STATES DISTRICT COURT**

17  
18 **TO THE JUDGES OF THE UNITED STATES DISTRICT COURT,**  
19 **CENTRAL DISTRICT OF CALIFORNIA, AND TO ALL PARTIES AND THEIR**  
20 **ATTORNEYS HEREIN:**

21 PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441(a), Defendant  
22 UNITED COLLECTION BUREAU, INC. ("Defendant"), hereby removes the above-  
23 entitled action from the Superior Court for the State of California in and for the County of  
24 Los Angeles, to the United States District Court for the Central District of California  
25 based on the following facts:

26 1. On or about October 15, 2012, an action was filed in the Superior Court of  
27 the State of California for the County of Los Angeles, entitled *Jamie Ingpen v. United*  
28 *Collection Bureau, Inc., LASC Case No. BC493821* ("the Action"). Copies of the

1           2.     Plaintiff alleges as one of her causes of action violation of the Fair Debt  
2 Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (FDCPA). Thus, this Court has  
3 original jurisdiction over this case pursuant to 15 U.S.C. § 1692k(d), and 28 U.S.C. §  
4 1331.

5           3.     On October 31, 2012, Defendant was served with the Summons and  
6 Complaint as well as accompanied documents via Acknowledgment of Receipt. For the  
7 reasons stated above, defendants remove the above entitled action.

8           4.     A responsive pleading has been filed in the State Court Action. A copy of  
9 the Answer is attached hereto as "Exhibit 2."

10          5.     Defendant is not aware of any other events that have taken place in the State  
11 Court Action.

12          6.     Removal is timely pursuant to 28 U.S.C. § 1446(b) as Notice of Removal has  
13 been filed within thirty days after service of the Summons and Complaint on October 31,  
14 2012.

15          7.     For the reasons stated above, Defendant removes the above entitled action  
16 now pending in the Superior Court for the County of Los Angeles, Case No.: BC493821,  
17 to the United States District Court for the Central District of California.

18  
19 DATED: November 28, 2012

**FOLEY & MANSFIELD, PLLP**

20  
21 By: 

Sean P. Flynn

Carley C. Mak

Attorneys for Defendant

**UNITED COLLECTION BUREAU, INC.**

# **EXHIBIT 1**

1 Octavio Cardona-Loya II, Esq. SBN 255309  
2 Golden & Cardona-Loya, LLP  
3 3130 Bonita Road, Suite 200B  
4 Chula Vista, CA 91910  
5 vito@goldencardona.com  
6 Phone: 619-476-0030; Fax: 775-898-5471  
7 Attorney for Plaintiff

CONFIRMED COPY  
ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

OCT 15 2012

John A. Clarke, Executive Officer/Clerk  
BY Christina H. Gifford Deputy  
Christina Gifford

8 **SUPERIOR COURT OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES, STANLEY MOSKOWITZ COURT HOUSE**

10 JAMIE INGPEN, an individual,

) Case No.: **BC498821**

11 )  
12 Plaintiff,

) **COMPLAINT AND DEMAND FOR**  
13 ) **JURY TRIAL (Unlawful Debt**  
14 ) **Collection Practices)**

v.

15 UNITED COLLECTION BUREAU,  
16 INC., a Corporation; and DOES 1 through  
17 10, inclusive,

18 Defendants.  
19 )  
20 )  
21 )  
22 )

23 **I. INTRODUCTION**

24 1. This is an action for damages brought by an individual consumer against  
25 Defendants for violations of the Federal Fair Debt Collections Practices Act and California  
26 Rosenthal Act which prohibit debt collectors from engaging in abusive, deceptive, and unfair  
27 practices.

28 ////

////

## II. VENUE & PARTIES

2. Venue in this district is proper in that the Plaintiff resides here, Defendants transact business here, and the conduct complained of occurred here.

3. Plaintiff JAMIE INGPEN is a natural person residing in the State of California, County of Los Angeles.

4. Defendant UNITED COLLECTION BUREAU, INC. ("UCB") at all times relevant was a corporation doing business of collecting debts in Los Angeles County, California operating from an address at 5620 Southwyck Blvd., Toledo, OH 43614.

5. Defendants are engaged in the collection of debts from consumers using the mail and telephone. Defendants regularly attempt to collect consumer debts alleged to be due to another. Defendants are "debt collectors" as defined by the FDCPA, 15 U.S.C. §1692a(6), and by the Rosenthal Act, California Civil Code 1788.2(c).

6. Plaintiff is a "consumer" as defined by the FDCPA, 15 U.S.C. 1692a(3).

7. The purported debt that Defendants attempted to collect from Plaintiff was a "debt" as defined by the FDCPA, 15 U.S.C. §1692a(5).

8. Plaintiff is a "debtor" as defined by the Rosenthal Act, California Civil Code 1788.2(h).

9. The purported debt which Defendants attempted to collect from Plaintiff is a "consumer debt" as defined by the Rosenthal Act, California Civil Code §1788.2(f).

10. The true names and capacities, whether individual, corporate (including officers and directors thereof), associate or otherwise of Defendants sued herein as DOES 1 through 10, inclusive, are unknown to Plaintiff, who therefore sues these Defendants by such fictitious names. Plaintiff is informed and believes, and alleges that each Defendant designated as a DOE is involved in or is in some manner responsible as a principal, beneficiary, agent, co-conspirator, joint venturer, alter ego, third party beneficiary, or otherwise, for the agreements, transactions, events and/or acts hereinafter described, and thereby proximately caused injuries and damages to Plaintiff. Plaintiff requests that when the true names and capacities of these DOE Defendants are ascertained, they may be inserted in

1 all subsequent proceedings, and that this action may proceed against them under their true  
2 names.

### 3 4 **III. FACTUAL ALLEGATIONS**

5 11. Sometime in August 2012, a UCB representative named Mary Casey contacted  
6 Plaintiff over the telephone to collect on an alleged credit card debt (the "debt").

7 12. Ms. Casey stated that the purported credit card was "secured."

8 13. Plaintiff was shocked and asked how that was possible.

9 14. Ms. Casey stated that "people think credit cards are unsecured. But it's one of  
10 those things in the fine print that you don't even read," or words to that effect.

11 15. Ms. Casey further stated that Plaintiff's lack of payment on the allegedly  
12 secured credit card resulted in a "default on a bank loan," or words to that effect.

13 16. Ms. Casey added that the debt was in a "premier portfolio."

14 17. Plaintiff inquired as to how the debt could be secured when Plaintiff had not  
15 provided any collateral.

16 18. Ms. Casey could not answer Plaintiff's question.

17 19. Plaintiff later contacted Chase and was informed that credit cards are  
18 unsecured.

19 20. UCB failed to send Plaintiff the written notice under 15 U.S.C. § 1692g within  
20 five days after UCB's initial communication with Plaintiff.

21 21. As a result of UCB's conduct, Plaintiff suffered from stress and worry.

### 22 23 **IV. FIRST CAUSE OF ACTION**

24 **(Against all Defendants for Violations of the Fair Debt Collection Practices Act)**

25 22. Plaintiff repeats, realleges and incorporates by reference all of the foregoing  
26 paragraphs.

27 23. Defendants violated the FDCPA. Defendants' violations include, but are not  
28 limited to, the following:

- (a) Defendants violated 15 U.S.C. § 1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff in connection with the collection of the alleged debt;
- (b) Defendants violated 15 U.S.C. § 1692e by using false, deceptive, or misleading representations or means in connection with the collection of a debt;
- (c) Defendants violated 15 U.S.C. § 1692e(2)(A) by giving the false impression of the character, amount or legal status of the alleged debt;
- (d) Defendants violated 15 U.S.C. § 1692e(4) by giving the impression that nonpayment of a debt will result in the arrest or imprisonment of a person and/or the seizure, garnishment, attachment, or sale of any property or wages of any person unless such action is lawful and the debt collector or creditor intends to take such action;
- (e) Defendants violated 15 U.S.C. § 1692e(10) by using a false representation or deceptive means to collect or attempt to collect any debt or to obtain information regarding a consumer;
- (f) Defendants violated 15 U.S.C. § 1692(f) by using unfair or unconscionable means to collect or attempt to collect a debt; and
- (g) Defendants violated 15 U.S.C. § 1692g(a) by failing to send the Plaintiff a validation notice within five days of the initial communication.

24. As a result of the above violations of the Fair Debt Collection Practices Act, Defendants are liable to the Plaintiff for Plaintiff's actual damages, statutory damages, and attorney's fees and costs pursuant to 15 U.S.C. §1692k.

## V. SECOND CAUSE OF ACTION

### (Against all Defendants for Violations of the Rosenthal Act)

25. Plaintiff repeats, realleges and incorporates by reference all of the foregoing paragraphs.

1 26. Defendants violated the Rosenthal Act, by including but not limited to, the  
2 following:

3 (a) Defendants violated California Civil Code §1788.17 by failing to comply  
4 with the FDCPA as referenced above.

5 27. Defendants' acts as described above were done intentionally with the purpose  
6 of coercing Plaintiff to pay the alleged debt.

7 28. As a proximate result of Defendants' violations enumerated above, Plaintiff  
8 was damaged in amounts which are subject to proof.

9 29. Defendants' violations of the Rosenthal Act were willful and knowing.  
10 Defendants are therefore liable to Plaintiff for Plaintiff's actual damages, statutory damages,  
11 and attorney's fees and costs pursuant to California Civil Code §1788.30.

12  
13 **WHEREFORE**, Plaintiff respectfully requests that judgment be entered against  
14 Defendants, and each of them, for the following:

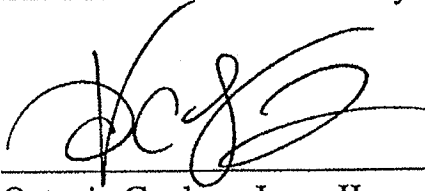
15 (a) Actual damages;

16 (b) Statutory damages pursuant to California Civil Code §1788.30(a) and  
17 15 U.S.C. §1692k;

18 (c) Costs and reasonable attorney's fees pursuant to California Civil Code  
19 §§1788.30(b) & (c) and 15 U.S.C. §1692k; and

20 (d) For such other and further relief as the Court may deem just and proper.

21  
22  
23 Date: September 25, 2012

24   
25 \_\_\_\_\_  
26 Octavio Cardona-Loya II,  
27 Attorney for Plaintiff  
28

////

////

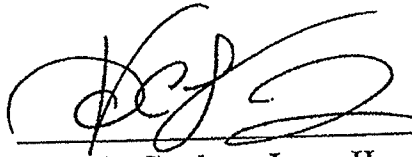
////



**DEMAND FOR JURY TRIAL**

Please take notice that Plaintiff demands trial by jury in this action.

Date: September 25, 2012



Octavio Cardona-Loya II,  
Attorney for Plaintiff

## **EXHIBIT 2**

1 Sean P. Flynn (SBN 220184)  
sflynn@foleymansfield.com  
2 Carley G. Mak (SBN 251568)  
cmak@foleymansfield.com  
3 **FOLEY & MANSFIELD, PLLP**  
300 South Grand Avenue, Suite 2800  
4 Los Angeles, CA 90071  
Telephone: (213) 283-2100  
5 Facsimile: (213) 283-2101

**CONFORMED COPY  
OF ORIGINAL FILED**  
Los Angeles Superior Court

NOV 28 2012

John A. Clarke, Executive Officer/Clerk  
By SHAUNYA WESLEY Deputy

6 Attorneys for Defendant  
7 **UNITED COLLECTION BUREAU, INC.**

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

11 JAMIE INGPEN,

12 Plaintiff,

13 vs.

14 UNITED COLLECTION BUREAU, INC.

15 Defendant.

Case No: BC493821

(Assigned to Hon. Ramona See, Dept. 69)

**DEFENDANT'S ANSWER TO PLAINTIFF'S  
COMPLAINT AND DEMAND FOR JURY  
TRIAL**

Complaint Filed: October 15, 2012  
Trial Date: None Assigned

17  
18  
19 Defendant UNITED COLLECTION BUREAU, INC. ("Defendant") answers the Complaint of  
20 Plaintiff JAMIE INGPEN ("Plaintiff"), as follows:

21 **GENERAL DENIAL**

22 Pursuant to *Code of Civil Procedure* § 431.30(d), Defendant, generally and specifically, denies  
23 each and every allegation in the unverified Complaint filed by Plaintiff, and specifically denies that  
24 Plaintiff has been damaged in any of the sums mentioned in said Complaint, or in any sum, or at all, or  
25 that Plaintiff is entitled to the relief sought in the Complaint as a result of any act, omission, or delay in  
26 acting of this answering Defendant.

27 ///

28 ///

**AFFIRMATIVE DEFENSES**

**FIRST DEFENSE**

(Statute of Limitations)

Plaintiff's entire Complaint is barred by the applicable statute of limitations.

**SECOND DEFENSE**

(Contributory/Comparative Fault)

Any violation of the law or damage suffered by Plaintiff, which Defendant denies, was due to the affirmative actions and/or omissions of Plaintiff or others, and does not give rise to any liability or claim of damages against Defendant.

**THIRD DEFENSE**

(Bona Fide Error)

Plaintiff's claims are barred as against Defendant by the qualified immunity of 15 U.S.C. § 1692k(c) and California Civil Code 1788.30(e). To wit, any violation of either statute, which Defendant denies, was not intentional and resulted, if at all, from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid such errors.

**FOURTH DEFENSE**

(Standing)

Plaintiff lacks standing to bring this action against Defendant under the Fair Debt Collection Practices Act and the Rosenthal Fair Debt Collection Practices Act.

**SIXTH DEFENSE**

(Failure to Mitigate)

Plaintiff failed, in whole or in part, to mitigate Plaintiff's damages despite having the means to do so.

**SEVENTH DEFENSE**

(Good Faith)

Defendant alleges that at all times it acted in good faith and with good cause. The conduct of Defendant was within the reasonable expectations of the parties and was reasonably related to Defendant's legitimate business interests upon the basis of reasonable factors.

**EIGHTH DEFENSE**

(Estoppel)

The Complaint and each of its purported claims for relief are barred by the doctrine of estoppel.

**NINTH DEFENSE**

(Waiver)

The Complaint and each of its purported claims for relief are barred by the doctrine of waiver.

**TENTH DEFENSE**

(Unclean Hands)

The Complaint and each of its purported claims for relief are barred by the doctrine of unclean hands.

**ELEVENTH DEFENSE**

(Laches)

The Complaint and each of its purported claims for relief are barred by the doctrine of laches.

**TWELFTH DEFENSE**

(Intervening Cause)

Plaintiff's alleged damages, which Defendant continues to deny, were not caused by Defendant but by an independent intervening cause.

**THIRTEENTH DEFENSE**

(Reservation of Additional Defenses)

Defendant alleges that the Complaint does not describe the alleged actions with sufficient particularity to permit it to ascertain what other defenses may exist. Defendant therefore reserves the right to assert all defenses that may pertain to the Complaint as the facts of the case are discovered.

///

///

///

///

///

///

1       **WHEREFORE**, Defendant prays as follows:

- 2       1.       That Plaintiff take nothing by way of her Complaint herein and that this action is  
3       dismissed in its entirety;
- 4       2.       For Defendant's attorneys' fees and costs incurred herein; and
- 5       3.       For such other relief as the Court may deem just and proper.

6

7       DATED: November 28, 2012

**FOLEY & MANSFIELD, PLLP**

8

9       By: 

Sean P. Flynn

Carley C. Mak

Attorneys for Defendant

**UNITED COLLECTION BUREAU, INC.**

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

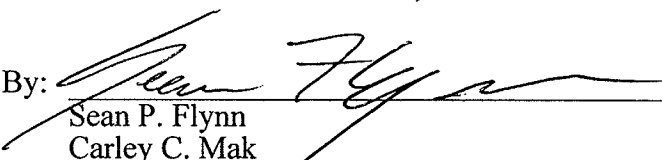
**DEMAND FOR JURY**

Defendant, United Collection Bureau, Inc. demands a Jury Trial on all claims suitable for determination by a Jury.

DATED: November 28, 2012

**FOLEY & MANSFIELD, PLLP**

By:

  
Sean P. Flynn  
Carley C. Mak

Attorneys for Defendant

**UNITED COLLECTION BUREAU, INC.**

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 300 South Grand Ave., Suite 2800, Los Angeles, California 90071

On November 28, 2012, I served the foregoing document described as: **DEFENDANT'S ANSWER TO PLAINTIFF'S COMPLAINT AND DEMAND FOR JURY TRIAL** on the interested parties in this action as follows:

**OCTAVIO CARDONAL-LOYA II, ESQ.  
GOLDEN & CARDONA-LOYA, LLP  
3130 BONITA ROAD, SUITE 200B  
CHULA VISTA, CA 91910  
(619) 476-0030**

☒ **(BY MAIL)** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses above and placed the envelope for collection and mailing, following our ordinary business practices. I am ready familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☐ **(BY COURT'S CM/ECF SYSTEM)** Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF systems to the parties and/or counsel who are registered CM/ECF Users set forth in the service list obtained from this court.

☐ **[FEDERAL]** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

☒ **[STATE]** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 28, 2012 Los Angeles, California.

  
Christine Sanders



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**I (a) PLAINTIFFS** (Check box if you are representing yourself ☐)

JAMIE INGPEN

**DEFENDANTS**

UNITED COLLECTION BUREAU, INC.

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

OCTAVIO CARDONA-LOYA II, ESQ. (SBN255309)  
 vito@goldencardona.com  
 GOLDEN & CARDONA-LOYA, LLP  
 3130 Bonita Road, Suite 200B  
 Chula Vista, CA 91910  
 (619) 476-0030

**Attorneys (If Known)**

SEAN FLYNN, ESQ. (SBN 220184)  
 sflynn@foleymansfield.com  
 FOLEY & MANSFIELD, PLLP  
 300 South Grand Avenue, Suite 2800  
 Los Angeles CA 90071  
 (213) 283-2100

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only** (Place an X in one box for plaintiff and one for defendant.)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)**CLASS ACTION** under F.R.C.P. 23: ☐ Yes ☒ No☒ **MONEY DEMANDED IN COMPLAINT:** \$ According to Proof**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 U.S.C. Section 1692, et seq.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<b>PROPERTY RIGHTS</b>
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<b>REAL PROPERTY</b>	<b>IMMIGRATION</b>	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923) (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**FOR OFFICE USE ONLY:** Case Number: CV12-10175

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Florida

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER)

Date

11/28/12

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is Paul Abrams.

The case number on all documents filed with the Court should read as follows:

**CV12- 10175 SJO (PLAx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☒ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.